

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jan 09, 2025**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES WESLEY BOND,

Defendant.

No. 4:22-CR-06050-MKD

ORDER GRANTING MOTION TO  
DISMISS INFORMATION

**ECF No. 26**

Before the Court is the United States' Motion to Dismiss Information. ECF No. 26. The United States moves the Court to dismiss, with prejudice, the Information, ECF No. 14, pursuant to the terms of Defendant's Pretrial Diversion Agreement. ECF No. 26 at 1. The Court has reviewed the motion and the record, has heard from the parties, and is fully informed.

On December 1, 2022, the parties entered into a Pretrial Diversion Agreement, ECF No. 17, which the Court accepted on December 2, 2022, ECF No. 19. Under the terms of the Agreement, the United States agreed to defer prosecution on the Information for twenty-four months to give Defendant the

1 opportunity to satisfy the terms of the Agreement. ECF No. 17 at 3 ¶ 4. These  
2 terms include: (1) performance of at least 100 hours of community service; (2)  
3 payment of \$4,122.48 in restitution to the United States Department of Veterans  
4 Affairs; (3) that Defendant be supervised by the United States Probation Office  
5 (“USPO”) during the term of the Agreement and comply with the terms of  
6 supervision; and (4) that Defendant shall commit no new violations of federal,  
7 state, or local law. *Id.* at 3-5 ¶¶ 6-7.

8       The United States represents that Defendant has satisfied the terms of the  
9 Agreement. ECF No. 26 at 2. The United States has received verification that  
10 Defendant has performed more than 100 hours of community service. *Id.* On  
11 January 3, 2025, Defendant made a payment of \$2,622.48 to the Clerk’s Office to  
12 fully satisfy Defendant’s restitution obligation. *Id.* Because the funds must be  
13 paid directly to the United States, the Clerk’s office is in the process of refunding  
14 the payment to Defendant so that it can be paid directly to the United States’  
15 National Central Intake Facility (“NCIF”). *Id.* The United States and Defendant  
16 agree that the Money Judgment entered by the Court will remain in effect until the  
17 United States has received confirmation of receipt of payment through the correct  
18 mechanism. *Id.*

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1 The USPO also indicates that Defendant has fully complied with the  
2 conditions of supervision, and did not commit any violations of law or of the  
3 conditions of the Agreement during the diversion period. *Id.*

4 Thus, pursuant to Paragraph 11 of the Pretrial Diversion Agreement, ECF  
5 No. 17 at 7 ¶ 11, the United States moves to dismiss the Information with  
6 prejudice.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 1. The United States' Motion to Dismiss Information, **ECF No. 26**, is  
9 **GRANTED**.

10 2. The pre-trial diversion entered into by the parties on December 1,  
11 2022, is **TERMINATED**.

12 3. The Information, **ECF No. 14**, is **DISMISSED with prejudice**.

13 4. The Court's Order Entering Money Judgment, **ECF No. 24**, shall  
14 **remain in effect** until the United States has received confirmation of receipt of  
15 payment to fully satisfy Defendant's restitution obligation.

16 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
17 and provide a copy to all counsel and the USPO.

18 **DATED** January 9, 2025.

19 s/Mary K. Dimke  
20 MARY K. DIMKE  
UNITED STATES DISTRICT JUDGE